

# **EXHIBIT C**

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June 13, 2012

Kimberly D. Borland, Esq.  
Borland & Borland, L.L.P.  
60 Public Square, 11<sup>th</sup> Floor  
Wilkes-Barre, PA 18701-2597

Re: Cheskiewicz vs. Heraeus NobleLight, LLC – U.S.  
District Court for the Middle District of Pennsylvania,  
No. 3:12-cv-00369

Dear Mr. Borland:

We received your e-mail on June 7 maintaining that Mr. Cheskiewicz timely filed his "charge" with the EEOC on December 3, 2010. We also received the attachment you provided. The attachment contained an Intake Questionnaire, not a charge. Mr. Cheskiewicz's charge is a separate document entirely that was date-stamped April 5, 2011, well beyond the limitations period.

We also received your letter to the Philadelphia, PA EEOC Office pursuant to FOIA requesting certain documents. We also plan to submit a similar request to the EEOC.


We propose that we stay our substantive discovery, and, instead, the Parties engage in a limited period of jurisdictional discovery to determine the nature and timing of Mr. Cheskiewicz's communications with the EEOC, and the filing of the charge. Jurisdictional discovery would allow us to determine if Mr. Cheskiewicz satisfied the relevant administrative requirements and whether his claim can proceed and/or if motion practice or dismissal is necessary. Focusing on jurisdictional discovery now would likely conserve resources and prevent the Parties from engaging in full discovery before resolving whether Plaintiff's claim should proceed. If this proposal is agreeable, we would like to advise the Court of our agreement in case it is necessary to modify any deadlines.

Mr. Kimberly D. Borland  
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We should also schedule a call to discuss the recent developments and the case in general.

Thank you for your consideration and please advise whether you agree with this proposal.

Regards,



Jerry S. Goldman

Enclosure